

**UPPER MERION TRANSPORTATION AUTHORITY**  
**February 11, 2015**

The members of the Upper Merion Transportation Authority met for their regularly scheduled meeting on Wednesday, February 11, 2015 in the Township Building, 175 West Valley Forge Road, King of Prussia, PA. The meeting was called to order at 7:00 p.m. and commenced with the pledge of allegiance.

**ATTENDANCE**

Michael Santillo, Chairman  
Louis Zotti, Vice-Chairman  
Marvin Meneeley, Treasurer  
Carlton Stuart, Secretary  
Tom Kohler, Assistant Secretary/Treasurer  
Greg Philips, Supervisor Liaison  
David G. Kraynik, Township Manager  
Edward J. O'Brien, Director of Public Works  
Nicholas Hiriak, Director of Finance  
Jack Smyth, Jr., P.E., Consulting Engineers, Boles Smyth Associates, Inc., (BSA)  
Joseph Pizonka, Esq., Pizonka, Reilley, Bello & McGrory, P.C  
Rita Ann Pfeiffer, Recording Secretary

**ABSENT:**

**MEETING MINUTES APPROVAL:**

It was moved by Mr. Kohler, seconded by Mr. Meneeley, all voting "Aye" to approve the meeting minutes of January 14, 2015 as submitted. None opposed. Motion approved 5-0.

**NEW BUSINESS**

**Request for Proposal (RFP) for Transportation Authority Solicitor**

Mr. Kohler stated last month he asked to table this item until such time all the members of the Authority were present. With a full complement of members present for this meeting, Mr. Kohler asked for a discussion on this matter in an effort to secure a better rate for Solicitor services.

Mr. Zotti asked for a motion to continue this discussion in Executive Session since it is a personnel matter.

**Authority Action:**

It was moved by Mr. Santillo, seconded by Mr. Kohler, all voting "Aye" to go into Executive Session to discuss a personnel matter. None opposed. Motion approved 5-0.

Upon conclusion of the Executive Session, Mr. Zotti reconvened the Authority into the public portion of the meeting and asked if there were any motions.

It was moved by Mr. Kohler, seconded by Mr. Carlton to go out for proposals for Transportation Authority Solicitor. Mr. Santillo asked if there should be a limit on the number of proposals to be considered. Mr. Kraynik explained the process that was followed on two Solicitor RFP's since his tenure in Upper Merion Township. He indicated the RFP was advertised in one of the county's legal publications and a list of municipal law firms was compiled with approximately ten firms responding.

Mr. Kohler wanted to have it open for anyone to bid. Mr. Kraynik indicated the advertisement would achieve that result and suggested a list be sent to legal firms that have municipal solicitorships. He said he would work with the Township Solicitor on compiling a suggested list and share it with the Authority and determine if the Authority would want to make any additions to the list.

Mr. Kraynik noted everyone on the list would get the RFP sent to them with a cover letter which the Authority will review before it goes out.

Mr. Zotti stated there is a motion on the table and seconded and asked if there is any comment from the Authority. Mr. Santillo commented there is no reason not to do the RFP; however, he questioned the timing and felt it should not be done now, but rather in November. He made the point that the Solicitor was just appointed last month for the year.

Mr. Kohler suggested that the RFP be done before November in order to provide enough time for interviews and Authority approval in November or December and be ready to appoint in January 2016.

Mr. Zotti asked Mr. Kraynik for a suggested time frame for sufficient turn around. Mr. Kraynik responded the process from beginning to end is about 3-4 months in order to provide time to draft the RFP, get it advertised, allow sufficient amount of time to receive requests, determine those to be interviewed, how that interview process will occur and get back into a meeting and make a decision. Starting the process in September would provide enough time.

Since Mr. Kohler's previous motion was for immediate action on the RFP, he made a motion to amend the previous motion that the RFP be done later this year with a decision by the Authority by the end of the calendar year 2015.

Mr. Zotti stated this timing would also allow time for due process and he seconded the motion.

Mr. Kraynik stated the RFP process would start in early September and he will develop a timeline for action for the information of the Authority members.

#### Authority Action:

It was moved by Mr. Kohler, seconded by Mr. Zotti, to amend the previous motion that the RFP be done later this year with a decision by the Authority by the end of the calendar year 2015. Mr. Kohler and Mr. Stuart voted in favor of the motion; Mr. Meneeley and Mr. Zotti voted against the motion and Mr. Santillo abstained. Motion failed 2-2-1.

Mr. Zotti stated this matter will be brought up again later this year. Mr. Meneeley commented the process outlined by Mr. Kraynik is fair and should be investigated.

## **Status of Right of Way Temporary Construction Easements for Valley Forge Road**

Mr. Kraynik stated at the last Authority meeting the direction for the required right of way negotiation with the Irvin's was for a \$25,000 initial offer with the ability to go up to \$27,500. The Irvin's countered with \$29,500.

Mr. Smyth indicated he was in contact with Sioux Irvin because of a damaged Verizon pole well into her property on the Caley Road side.

Mr. Zotti asked for clarification about the Verizon pole, and Mr. Smyth provided additional details and indicated after a lot of coordination with the utilities, Peco agreed to the conditions set by Verizon to move the lines and the heavy primary lines leading to and from the pole to provide a permanent fix. Mr. Smyth maintained the position that the cost should be borne by Peco because of the emergency repair status and he just received word that no additional funds will be requested beyond the original agreement for the original pole requiring relocation.

Mr. Zotti asked what was actually done to the pole. Mr. Smyth responded a new pole was installed four feet closer to the roadway. After he met with the Verizon representative, the pole was moved as close to the road as possible since Caley Road is being narrowed by six feet. Follow through is also needed with Comcast and PennDOT regarding the fiber optics on the Valley Forge side.

Mr. Smyth indicated Sioux Irvin called him this afternoon and indicated if the Authority agrees to the \$29,500 they will sign the right-of-way/easement agreements.

A discussion followed about the specifics of the coordination with the Irvin property owner for the right-of-way agreement.

### **Authority Action:**

It was moved by Mr. Kohler, seconded by Mr. Stuart, all voting "Aye" to accept the \$29,500 offer with no walkway light relocation, controller cabinet on the Irvin property, and removal of the tree and bushes where the Verizon pole is located which is already in the contract as well as temporary easements. None opposed. Motion approved 5-0.

Mr. Kraynik provided an update on the status of the remaining temporary easements, and Mr. Smyth answered questions about certain characteristics of the properties.

## **EXECUTIVE SECRETARY'S REPORT**

### **Development Plan Updates**

Federal Express Ground Distribution Facility on River Road – This is a 66-acre, 315,000 square foot property and the applicant returned for another workshop meeting review last Thursday and discussed such items as a possible connector road. The plan will be considered for adoption at the Board of Supervisors business meeting on February 26<sup>th</sup>. In order for the project to proceed a Highway Occupancy Permit is required from PennDOT.

Mr. Kohler asked if the applicant is agreeing to provide land for the road. Mr. Kraynik responded that a 40 foot wide section of the property will be reserved for future right-of-way dedication to construct the planned Flint Hill Road connector. Mr. Kohler asked if this would be for land across from Flint

Hill Road all the way to River Road. Mr. Philips pointed out when the Board originally talked with them about splitting the difference doing 20 feet on the sewer plant side and 20 feet on their side, the applicant recognized it would not line up directly with Hertzog Boulevard. The applicant made the determination on their own to provide a 40 foot right-of-way on their property which would then align with Hertzog Boulevard. Mr. Philips pointed out this will allow for at least 80% of the planned roadway length between Flint Hill and River Road. Mr. Philips noted the remaining 20% of the planned connector roadway would be on the Drummond property another undeveloped portion with issues that still need to be worked out.

Progress has been made in providing a second means of access into the Renaissance Boulevard area – the industrial area in Swedeland which would keep it out of the residential portion of Swedeland. This will also be advantageous for a planned PA Turnpike interchange at Henderson Road.

Mr. Zotti asked for clarification about the main truck route. Mr. Philips responded there are four classes of vehicles that will be going to and from the site. The tractor trailers will go down River Road in two ways -- toward Bridgeport and toward West Conshohocken. These are the trucks that will be coming from Wheeling, West Virginia. Mr. Kraynik commented these trucks would come down the Turnpike, down I-76 and get off at Conshohocken and come up to the plant. It will not be a significant amount of their traffic. Most of their vehicles will be Fed Ex vans not tractor trailers. A significant amount of the vans will come out of this plant at 2 a.m. and are staggered to alleviate a lot of the burden on the road system.

Mr. Philips said the real issue is the traffic for the employees driving into work every day from 6-8 a.m. and leaving in the 4-6 p.m. time window.

A discussion followed about the number of potential trips per day the Fed Ex vehicles and employees would generate.

Mr. Kohler asked if this is a "By Right" plan, and Mr. Kraynik responded in the affirmative.

Mr. Kohler asked if there are any road improvements other than the intersection for the applicant's driveway and the light. Mr. Philips responded the applicant has talked about road improvements at the intersection of Matsonford and River Road in West Conshohocken and also discussed upgrading the traffic signal there to improve flow.

Mr. Kohler asked for clarification about the connector road. Mr. Philips responded McMahon & Associates looked at this from the township's perspective. It will be an expensive proposition for two reasons. One is that the existing ground topography is such that the road will have to be built up. The other consideration is the environmental status of the Drummond property. Mr. Philips pointed out the property is already capped with 10-20 feet of fill, but in order to put in the road 10-20 feet of additional fill is needed. He said the applicant is installing a retaining wall along that area because of the grading and they are building their side up.

Mr. Kohler asked where that would potentially tie into River Road and if that would be too close to the Fed Ex driveway and signal. Mr. Philips responded it is more than 150 feet away. Mr. Kohler said he would assume that intersection would also be signalized as well or if it they would be too close together. Mr. Kraynik stated the discussion of whether that road when it is built will have a signal has not been explored. Mr. Kohler said he is assuming it would because of the amount of

traffic. Mr. Kraynik commented the facility will be open in a couple of years and by that time we will have the benefit of real traffic counts.

Mr. Kohler asked if this plan is in the impact area (Act 209). Mr. Smyth will check on this.

IFLY Indoor Skydiving Development Plan, 300 Goddard Boulevard, 16.5 acres – This plan was reviewed at the February 5 workshop meeting and will be considered by the Board of Supervisors at the February 26<sup>th</sup> business meeting. This is an interesting concept and a big party draw for teens. This facility will be the 16<sup>th</sup> in the country and the first one in the mid-Atlantic region.

Mr. Kohler asked if this would also be "By Right", and Mr. Kraynik responded there is no zoning there.

## **ENGINEER'S REPORT**

### **Multi-Use Trail Bridge over the Schuylkill River (SR 3051 Section C22)-Construction Phase**

Three of the BEBO arch segments have now been placed over the Schuylkill River Trail. Work was done during the night shift. Everything is moving well with construction of the Schuylkill River Bridge. Contractor has started placing the second pier (middle pier). The first pier on the Upper Merion side has been fully excavated and they will begin to install the foundation for that when the weather permits.

### **Church Road Bridge over SEPTA Route 100 Line**

Type, Size and Location (TS&L) for culvert is being submitted to PennDOT.

### **Community Center – Valley Forge Roadway Improvements**

Uploaded construction bid package onto PennBid system and coordinated with PennBid personnel. Advertisement was revised so that it was applicable to the PennBid system. It is currently live with a non-mandatory pre-bid meeting scheduled for February 19<sup>th</sup> and a bid opening on March 5<sup>th</sup>. As of today there were over 30 contractors that had downloaded the bid package. It is getting a lot of advertisement through the system.

BSA addressing some additional minor comments on traffic control and traffic signal. Permit will not be granted until right-of-way is obtained. HOP should be in hand to the contractor by the time they receive the Notice to Proceed. On March 5<sup>th</sup> bids will be opened so a Notice of Intent to Award may be issued at the March 11th Authority Meeting. Will coordinate with contractor to get the bonds and insurance so that Notice to Proceed can be provided shortly thereafter. Everything moving well.

### **Prince Frederick Extension**

Mr. Philips asked how the county is reacting to the Chester Valley Trail Crossing. Mr. Smyth responded the county is aware of the Prince Frederick Extension and they do not want to preclude anything.

Mr. Smyth noted the trail is going back to the original alignment which is much more beneficial. The county is transitioning and BSA will be having more of a project management role in the design of the trail and will be in a position to keep in mind what the Authority wants to do for Prince Frederick.

With regard to Prince Frederick Street and Saulin Boulevard, Mr. Philips asked about the next steps for getting that either in design or construction. Mr. Smyth responded he and Mr. Kraynik have met

with Lafayette Ambulance and their counsel and Mr. Kraynik explained the issue Lafayette Ambulance is having with their neighbor and the paper street issue. The next step is to get a meeting with the neighboring property owner to discuss the issue of the paper street.

Mr. Philips noted the paper street is at the back of the property which is what is needed to be able to make the Prince Frederick Street line up and the further extension to move forward.

Mr. Philips commented the Board of Supervisors believes the extension of Prince Frederick and Saulin Boulevard as the next step to developing that area.

Mr. Kohler said it would also provide potential relief in the intersection.

Mr. Philips indicated it will provide relief to US 202 and Henderson Road.

Mr. Smyth stated that at the Saulin Boulevard end, the county has decided the bus depot property should be a total take for the Chester Valley Trail project which provides more flexibility to the alignment through there and helps with future alignment of Prince Frederick.

## **FINANCIAL REPORT**

Mr. Hiriak presented the January report. He also noted in December a number of reimbursements were filed with PennDOT and checks are starting to come in. Payments were received for the Henderson Road project and some of the Multi-Use Trail project. Mr. Meneeley asked if the investments are prior to the Act 209 status. Mr. Hiriak responded everything is prior. Mr. Kohler asked if there will be a separate line going forward. Mr. Hiriak responded another bank account will be opened to accept the Act 209 monies and it will be segregated.

## **REQUISITIONS – JANUARY 2015**

Boles, Smyth Assoc., Inc.	\$ 694.35	Multi-Use Trail Connection on Port Kennedy Road for work performed 12-1-14 thru 12-31-14. INVOICE #7
Boles, Smyth Assoc., Inc.	\$ 5,941.56	Construction Phase Svcs. For Multi-Use Trail Bridge over the Schuylkill River project for work performed for period 12-1-14 thru 12-31-14 INVOICE #10
Boles, Smyth Assoc., Inc.	\$ 7,420.38	Final design of Est Church road Bridge Over SEPTA for work performed 12-1-14 thru 12-31-14 INVOICE #19
Boles, Smyth Assoc., Inc.	\$ 5,450.06	Relocation of N. Gulph Road (SR 3039) for work performed 12-1-14 thru 12-31-14 INVOICE #22
Boles, Smyth Assoc., Inc.	\$ 6,018.00	Upper Merion Community Center Roadway Improvements for 12-1-14 thru 12-31-14 INVOICE #9
Pizonka, Reilley, Bello & McGrory, PC	\$ 607.50	Professional Services 1-12-15 to 1-15-15 INVOICE #31737

<b>TOTAL:</b>	<b>\$26,131.85</b>	

Authority Action:

It was moved by Mr. Kohler, seconded by Mr. Meneeley, all voting "Aye" to approve the February requisitions in the amount of \$26,131.85. None opposed. Motion approved 5-0.

**SOLICITOR'S REPORT:**

Mr. Pizonka stated he just checked with Mr. Smyth to see when the Irvin's will sign off on the agreement. Mr. Zotti said a new agreement will have to be drafted to reflect the \$29,500 figure. Mr. Smyth indicated that final edit will be made and everything else has been worked out.

**ADDITIONAL BUSINESS:**

**Electric Sign Complaints**

Mr. Meneeley asked about the sign ordinance because of an electric sign at a church that is generating complaints because of its brightness and height. Mr. Philips noted this was mentioned at a recent workshop meeting and noted a permit was issued for the sign. He said the township was working with the pastor to regulate the brightness. Mr. Kraynik indicated the brightness has been improved and mentioned there are no specific regulations on how fast the messages can change.

Mr. Philips suggested having a discussion with Rob Loeper since the zoning ordinance is now under review and it would be timely to track this issue as well. Mr. Kraynik indicated this could be brought up during the next workshop meeting.

**ADJOURNMENT**

There being no further business to come before the Authority, the meeting adjourned at 8:35 p.m.

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**DAVID G. KRAYNIK**  
**EXECUTIVE SECRETARY**

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**MICHAEL SANTILLO**  
**CHAIRPERSON**

Minutes Approved:  
Minutes Entered: